



MEDIA: PLEASE CONTACT THE MEETING FACILITY TO MAKE THE NECESSARY ARRANGEMENTS FOR ANY EQUIPMENT YOU MAY NEED.

MEETING ANNOUNCEMENT

DATE: OCTOBER 11, 2017
TIME: 4:30 PM – EXECUTIVE SESSION
LOCATION: BALLROOM
WILD ROSE EMMETSBURG
777 MAIN STREET
EMMETSBURG, IA 50536
PHONE: 712/852-3400

DATE: OCTOBER 12, 2017
TIME: 8:30 AM
LOCATION: BALLROOM
WILD ROSE EMMETSBURG
777 MAIN STREET
EMMETSBURG, IA 50536
PHONE: 712/852-3400

PROPOSED AGENDA

- 1. APPROVE AGENDA**
- 2. EXECUTIVE SESSION** - Pursuant to Iowa Code Section 21.5(1)a, d, and g for the purpose of receiving Division of Criminal Investigation background reports on Linn County Gaming Association, Inc./Cedar Rapids Development Group, LLC and Cedar River Alliance for Gaming/Wild Rose Cedar Rapids, L.L.C.

RECESS UNTIL 8:30 AM, OCTOBER 12, 2017

3. **APPROVE MINUTES** – From August 24, 2017
4. **WELCOME** – Mayor Myrna Hedding; and Renee Jedlicka, President, Palo Alto County Gaming Development Corp.
5. **ANNOUNCEMENTS**
 - A. November 16, 2017 – Dubuque Diamond Jo, Dubuque (Submissions due by November 2, 2017)
 - B. January 4, 2018 – Prairie Meadows Racetrack & Casino, Altoona
 - C. March 6, 2018 – Prairie Meadows Racetrack & Casino, Altoona
6. **STATEWIDE MARKET ANALYSIS PRESENTATION**
 - A. Marquette Advisors, Inc.
 - B. WhiteSand Gaming
7. **ADMINISTRATIVE RULES**
 - A. Notice of Intended Action – See Attached
 - B. Final Adoption – See Attached
8. **REQUEST FOR APPROVAL OF FINANCING PURSUANT TO IOWA ADMIN. CODE 491-5.4(8)(a)(2)** – Recreational Enterprises, Inc. (Owner of Eldorado Resorts, Inc., Isle of Capri Bettendorf, and IOC Black Hawk County, Inc.)
9. **REQUEST FOR APPROVAL OF FINANCING PURSUANT TO IOWA ADMIN. CODE 491-5.4(8)(a)(2)** – Affinity Gaming (Owner of HGI-Lakeside, LLC)
10. **CONTRACT APPROVALS (OSV – Out of State Vendor; RP = Related Party)**
 - A. Casino Queen Marquette, Inc. – VGM Group, Inc. d/b/a Strategic Imaging – Direct Mail – Marketing
 - B. IOC Bettendorf, L.C.
 1. Bertch Cabinet Mfg., Inc. – Capital Purchase for Hotel Room Appliance Center Cabinets
 2. Treiber Construction – Capital Project to Build Public Park at Site of the former Riverboat Mooring
 - C. IOC Black Hawk County, Inc.
 1. Foundry, LLC – Advertising Production Company (OSV)
 2. WPP Group, USA, Inc. – Maxus Communications – Advertising Production Company (OSV)
 - D. Dubuque Racing Association, Ltd.
 1. Commercial Flooring – New Flooring Purchase and Installation
 2. Donovan Construction & Remodeling, LLC – New Wall Construction
 3. Dubuque Painting & Decorating Service – New Wallcoverings

4. The Buzz Creative Group – Marketing Agency Professional Services
 5. The Printer, Inc. – Direct Mail and Printing Services
- E. Wild Rose Emmetsburg, LLC – Buhrow Construction, Inc. – Facility Upgrade and Renovation of Shipping/Receiving Area
- F. Wild Rose Clinton, LLC – Aramark – Rental of Linens
- G. Grand Falls Casino & Golf Resort, LLC – Riverside Casino & Golf Resort, LLC – Shared Services: Internal Audit, Regulatory Compliance, and Information Technology Services (RP)
- H. SCE Partners, LLC – American Trust Retirement – Employee Benefit
- I. Harvey’s Iowa Management Co., Inc.
1. Johnson Controls – HVAC Vendor
 2. Heeter Printing Company – Printing Company (OSV)
 3. Power Promotions – Promotional Products Supplier (OSV)
- J. Iowa West Racing Association d/b/a Horseshoe Casino/Bluffs Run
1. Arrow Stage Lines d/b/a Busco – Charter Service
 2. J & R Liquors – Liquor Supplier
 3. Wojo Tours & Travel – Tour Operator (OSV)
 4. Power Promotions – Promotional Products Supplier (OSV)
- K. Prairie Meadows Racetrack & Casino, Inc.
1. Horsemen’s Track and Equipment, Inc. – Horse Track Outside Rail Repairs (OSV)
 2. Shye West d/b/a Imagine This – Promotional Items (OSV)
 3. Swanson Gentleman Hart – Replace Skylight in Porte Cochere
 4. Waste Management – Waste Removal Services

11. IOWA WEST RACING ASSOCIATION d/b/a HORSESHOE CASINO-BLUFFS RUN GREYHOUND PARK – Application for a Pari-Mutuel License and Racetrack Enclosure Gambling License for January 1, 2018 through December 31, 2018; Simulcasting Requested, No Live Racing Dates Requested.

12. IOWA GREYHOUND ASSOCIATION d/b/a THE IOWA GREYHOUND PARK – Application for a Pari-Mutuel License and Granting of Race Dates for January 1, 2018 through December 31, 2018. Racing will be held May 12, 2018 through October 20, 2018. Evening performances and post times requested are Wednesday and Friday at 6:30 PM. Matinee performances and post times requested are Saturday and Sunday at 1:00 PM. Additional requested performances are Monday, May 28; Tuesday, July 3; Wednesday, July 4; and Monday, September 3, at 1:00 PM. There will be no evening

performance on Wednesday, July 4th. IGA has requested the following simulcasting schedule:

- A. January 1 – May 13, 2018 - Friday, Saturday and Sunday;
- B. May 16 – October 21, 2018 - Wednesday, Thursday, Friday, Saturday and Sunday;
- C. October 24 – December 31, 2018 – Friday, Saturday and Sunday

13. PRAIRIE MEADOWS RACETRACK AND CASINO, INC. d/b/a PRAIRIE MEADOWS RACETRACK AND CASINO – Application for Pari-Mutuel License and Granting of Racing Dates and Racetrack Enclosure Gambling License for January 1, 2018 through December 31, 2018

The thoroughbred meet will commence on April 26, 2018 and end on August 11, 2018. Evening performances and post times requested are Thursday and Friday at 6:00 PM. Matinee performances have been requested for Saturday and Sunday at 1:00 PM. Special post times and race days requested are: Saturday, May 5 at 4:00 PM; Saturday, May 19 at 4:00 PM; Monday, May 28 at 1:00 PM; Saturday, June 9 at 4:00 PM; Wednesday, June 13 at 6:00 PM; Tuesday, July 3 at 4:00 PM; TBA (Festival of Racing) at 4:00 PM; Wednesday, August 8 at 6:00 PM; and Saturday, August 11 at 4:00 PM. There will be a total of 603 performances. PMR&C has requested the continuation of year-round simulcasting.

The quarter horse meet will commence on August 18, 2018 and run through October 13, 2018. Evening performance and post time requested is Friday at 6:00 PM. Matinee performances and post times requested are Saturday and Sunday at 1:00 PM. Special post times and race days requested are: Thursday, October 11 at 6:00 PM and Saturday, October 13 at 4:00 PM. There will be a total of 208 performances, including trial races. PMR&C has requested the continuation of year-round simulcasting.

14. HEARINGS

- A. Prairie Meadows Racetrack & Casino, Inc. - For a violation of Iowa Code §99F.4(22) (Self-Exclusion)
- B. HGI-Lakeside, LLC - For a violation of Iowa Code §99F.4(22) (Self-Exclusion)
- C. Riverside Casino & Golf Resort, LLC - For a violation of Iowa Code §99F.4(22) (Self-Exclusion)

15. PUBLIC COMMENT

16. ADMINISTRATIVE BUSINESS

17. ADJOURN

MEETING ANNOUNCEMENT

The Iowa Racing and Gaming Commission and staff will meet for dinner on Wednesday, October 11, 2017 at 6:30 PM at the Dunigan's Irish Pub located on property at Wild Rose Emmetsburg, IA (712/852-3400). Racing and gaming matters may be discussed, but no official action will be taken.

PUBLIC PARTICIPATION

Persons wishing to make a statement at a commission meeting may sign a sheet at the entrance to the meeting room and will appear during the agenda item titled "Public Comment". This segment is intended for an individual to make a brief statement to the Commissioners supported by fact, on current issues, which are within the jurisdiction of the Iowa Racing & Gaming Commission. It is not intended to be a debatable item.

Anyone who wishes to appear and/or distribute material should submit a written request to the Commission office not later than ten business days before the scheduled meeting in accordance with rule 491-1.2(3). Information or material submitted must be in completed form. This policy is intended to provide the Commissioners and staff adequate time to study the submitted material and appropriately prepare for presentations.

IOWA RACING AND GAMING COMMISSION[491]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 99D.7 and 99F.4, the Racing and Gaming Commission hereby gives Notice of Intended Action to amend Chapter 3, "Fair Information Practices," Chapter 5, "Track and Excursion Boat Licensees' Responsibilities," Chapter 6, "Occupational and Vendor Licensing," Chapter 8 "Wagering and Simulcasting," Chapter 10 "Thoroughbred and Quarter Horse Racing," Chapter 11, "Gambling Games," and Chapter 12 "Accounting and Cash Control," Iowa Administrative Code.

ITEM 1. Adds records that are to be considered confidential

ITEM 2. Clarifies that advanced deposit wagering licensees need to follow the same rule as other licensees.

ITEM 3.

ITEM 4. Adds provision for exceptions to be approved.

ITEM 5. Clarifies list should be filed prior to employee working.

ITEM 6. Lowers minimum payoff for win, place or show wagers.

ITEM 7. Removes allowance for coupled entries.

ITEM 8. Clarifies requirements for jockey clothing.

ITEM 9. Clarifies disqualifications.

ITEM 10. Changes time to declare overweight limit for jockeys.

ITEM 11. Removes allowance for coupling.

ITEM 12. Clarifies this relates to a careless riding infraction.

ITEM 13.

ITEM 14.

ITEM 15. Clarifies eligibility for in-foal fillies.

ITEM 16. Rescinds allowance for coupled entries.

ITEM 17.

ITEM 18.

ITEM 19.

ITEM 20.

ITEM 21.

ITEM 22.

ITEM 23.

ITEM 24. Removes requirement for facility to provide certain names with regard to alarm system access.

Any person may make written suggestions or comments. on the proposed amendments on or before November 28, 2017. Written material should be directed to the Racing and Gaming Commission, 1300 Des Moines Street Suite 100, Des Moines, Iowa, 50309, or irgc@iowa.gov. Persons who wish to convey their views verbally should contact the Commission office at (515) 281-7352.

A public hearing will be held on November 28, 2017, at 9 am in the office of the Racing and Gaming Commission, 1300 Des Moines St, Suite 100, Des Moines, Iowa. Persons may present their views at the public hearing either verbally or in writing.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapters 99D and 99F.

The following amendments are proposed.

ITEM 1. Amend subrule **3.13(2)** as follows:

3.13(2) Confidential records. The following records may be withheld from public inspection. Records are listed by category, according to the legal basis for withholding them from public inspection.

i. Information gathered during an investigation during pendency of the investigation or information requested for inspection by the commission or a representative of the commission. (Iowa Code sections 99D.7(8), ~~and~~ 99F.4(6), 99D.19(3) and 99F.12(4).)

j. Personnel files and employee records. Information required for tax withholding, information concerning employee benefits, affirmative action reports, and other information concerning the employer-employee relationship. Some of this information is confidential under Iowa Code section 22.7(11).

k. Security plans, surveillance system plans and records, network audits, ~~and~~ internal controls, and compliance records of the licensees that are made available to the commission that would enable law violators to avoid detection and give a clearly improper advantage to persons who are in an adverse position to the agency. (Iowa Code sections 17A.2, 17A.3, ~~and~~ 22.7(18) 99D.19(3) and 99F.12(4).)

l. Promotional play receipts records and marketing expenses. (Iowa Code sections 99D.19(3) and 99F.12(4).)

m. Patron and customer records. (Iowa Code sections 99D.19(3) and 99F.12(4).)

n. Supplemental schedules to the certified audit that are obtained by the commission in connection with the annual audit under section 99D.20 and 99F.13. (Iowa Code sections 99D.19(3) and 99F.12(4).)

ITEM 2. Amend paragraph **5.4(12)"a"** as follows:

a. The holder of a license to operate gambling games and the holder of a license to accept simulcast wagering shall adopt and implement policies and procedures designed to:

ITEM 3. Amend subrule **5.4(15)** as follows:

5.4(15) Remodeling. For any construction change to be made to the facility ~~itself directly associated with racing or gaming or change~~ in the structure of the boat itself, the licensee must first submit plans to and receive the approval of the administrator.

ITEM 4. Amend subrule **5.5(11)** as follows:

5.5(11) Designated wagering area. The designated wagering area is a rectangular area within a minimum of five feet from the front and from either side of a stationary wagering window or self-service wagering device, not otherwise obstructed by a wall or other barrier. The facility shall either section off or clearly delineate the floor of the area and post a sign near the area, which is visible to patrons approaching the area, denotes the wagering area and specifies that the wagering area is not accessible to persons under the age of 21. The designation applies only when the wagering window or device is open to transact wagering. A floor plan identifying the area shall be filed with the administrator for review and approval. Modification to a previously approved plan must be submitted for approval at least ten days prior to implementation. Exceptions to this rule must be approved in writing by the Commission.

ITEM 5. Amend subrule **6.9(2)** as follows:

6.9(2) When a facility hires a person who is already in possession of a current occupational license, a list of the person(s) hired must be filed weekly with the local commission office prior to the person(s) working. The list should contain the license number, names, social security number, and birth date of each person hired.

ITEM 6. Amend subrule **8.2(20)** as follows:

8.2(20) Minimum wager and payoff. The minimum wager to be accepted by any licensed facility for win, place and show wagering shall be \$2. The minimum payoff on a \$2 wager shall be ~~\$2.21~~10. For all other wagers, the minimum wager to be accepted by any licensed facility shall be \$1. The minimum payoff for a \$1 wager shall be ~~\$1.405~~1. Any deviation from these minimums must be approved by the administrator. In cases where a minus pool occurs, the facility is responsible for the payment of the minimum payoff and no breakage shall be incurred from that pari-mutuel pool.

ITEM 7. Rescind subparagraph **10.4(4)"d"(3)"2"** and renumber.

~~2. Coupled entry. When a horse is disqualified under 10.4(4)"d"(3)"1" and that horse was a part of a coupled entry and, in the opinion of the stewards, the act which led to the disqualification served to unduly benefit the other part of the coupled entry, the stewards may disqualify the other part of the entry.~~

ITEM 8. Amend subparagraph **10.5(2)"j"(1)** as follows:

(1) Clothing and appearance. A jockey shall wear the racing colors furnished by the owner or facility with the of the horse the jockey is to ride, plus solid white riding pants, top boots, and a number on the right shoulder on the saddlecloth corresponding to the mount's number given as shown on the saddle cloth and in the racing daily program. ~~A jockey shall maintain a neat and clean appearance while engaged in duties on facility premises and shall wear a clean jockey costume, cap, helmet (approved by commission), a jacket of silk or waterproof fabric, breeches, and top boots. The Jockey's Guild logo, the Permanently Disabled Jockeys Fund logo, or the jockey's name may be displayed on the solid white pants. The size of the display of the jockey's name on the solid white pants is limited to a maximum of 32 square inches on each thigh of the pants on the outer sides between the hip and the knee, and ten square inches on the~~

rear at the base of the spine. A jockey shall not wear advertising or promotional material of any kind on clothing during a race, unless the following criteria are met:

a. a maximum of 32 square inches on each thigh of the pants on the outer side between the hip and knee and 10 square inches on the rear of the pant at the waistline at the base of the spine;

b. a maximum of 24 square inches on boots and leggings on the outside of each nearest the top of the boot;

c. a maximum of six square inches on the front center of the neck area (on a turtleneck or other undergarment);

d. such advertising or promotional material does not compete with, conflict with, or infringe upon any current sponsorship agreement to the racing association race or race meet.

e. The stewards, at their discretion, may disallow any advertising that is not in compliance with this Rule, any other rules of racing, or any advertising they deem to be inappropriate, indecent, in poor taste, or controversial.

ITEM 9. Amend subparagraph **10.5(2)"m"(2)** as follows:

(2) The offending horse may be disqualified if, in the opinion of the stewards, the foul altered the finish of the race, regardless of whether the foul was accidental, willful, or the result of careless riding. When a horse causes interference under this rule, every horse in the same race entered by the same owner or trainer that benefited from the interference, may be disqualified at the discretion of the stewards.

ITEM 10. Amend paragraph **10.5(2)"r"** as follows:

r. Overweight limited. No jockey may weigh more than two pounds or, in the case of inclement weather, four pounds over the weight the horse is assigned to carry unless with consent of the owner or trainer and unless the jockey has declared the amount of overweight to the clerk of scales at least 45 60 minutes before the scheduled post time of the first race. However, a horse shall not carry more than seven pounds overweight, except in inclement weather when nine pounds shall be allowed. The overweight shall be publicly announced and posted in a conspicuous place both prior to the first race of the day and before the running of the race.

ITEM 11. Amend subparagraph **10.5(2)"r"(4)** as follows:

(4) Underweight. When any horse places first, second, or third in a race, ~~or is coupled in~~ any form of multiple exotic wagering, and thereafter the horse's jockey is weighed in short by more than two pounds of the weight of which the jockey was weighed out, the mount may be disqualified and all purse moneys forfeited.

ITEM 12. Amend subparagraph **10.5(2)"v"(4)** as follows:

(4) Riding suspensions of ten days or less and participating in designated races. The stewards appointed for a race meeting shall immediately, prior to the commencement of that meeting, designate the stakes, futurities, futurity trials, or other races in which a jockey will be permitted to compete, notwithstanding the fact that such jockey is ~~technically~~ under suspension for ten days or less for a careless riding infraction at the time the designated race is to be run.

ITEM 13. Amend subparagraph **10.5(2)"v"(4)"4"** as follows:

4. A day in which a jockey participated in one designated race while on suspension shall count as a suspension day. If a jockey rides in more than one designated race on a race card while on suspension, the day shall not count as a suspension day. Each Ddesignated trials race for a stake shall be considered one race.

ITEM 14. Amend subparagraph **10.6(1)"b"(2)** as follows:

(2) The horse's breed registration certificate is not on file with the racing secretary, or horse identifier, except ~~in the case of a quarter horse~~ where the racing secretary has submitted the certificate to the breed registry for correction or transfer of ownership. The stewards may, in their discretion, waive the requirement ~~in nonclaiming races~~ provided the registration certificate is in the possession of another board of stewards, a copy of the registration certificate is on file with the racing secretary; and the horse is otherwise properly identified. For claiming races, if the claimed horse has been approved by the stewards to run without the registration certificate on file in the racing office, then the registration certificate must be provided to the racing office within seven business days for transfer to the new owner before claiming funds will be approved for transfer by the stewards.

ITEM 15. Adopt the following new paragraph **10.6(18)"I"**:

1. An in-foal filly or mare shall be eligible to be entered into a claiming race only if the following conditions are fulfilled:

(1) Full disclosure of such fact is on file with the racing secretary and such information is posted in his/her office;

(2) The stallion service certificate has been deposited with the racing secretary's office prior to the horse running;

(3) All payments due for the service in question and for any live progeny resulting from that service are paid in full;

(4) The release of the stallion service certificate to the successful claimant at the time of claim is guaranteed; and

(5) The cutoff for racing is 150 days of gestation.

ITEM 16. Rescind paragraph **10.6(11)"b"** and renumber.

~~b. Coupled entries. In the case of a coupled or other entry that includes more than one horse, each horse in the entry shall carry the same number, with a different distinguishing letter following the number. As an example, two horses in the same entry shall be entered as 1 and 1-A.~~

ITEM 17. Amend subparagraph **10.7(1)"d"(2)** as follows:

(2) No person except a veterinarian shall have in the person's possession any prescription drug. Prescriptions shall be written and/or dispensed only by duly licensed veterinarians in the context of a valid veterinarian-client-patient relationship and based upon a specific medical diagnosis. However, a person may possess a noninjectable prescription drug for animal use if:

ITEM 18. Amend subparagraph **10.7(1)"d"(4)** as follows:

(4) No veterinarian or any other person shall dispense, sell, or furnish any feed supplement, tonic, veterinary preparation, medication, or any other substance that can be administered or applied to a horse by any route, to any person within the premises of the facility unless ~~there is a label specifying the name of the substance dispensed, the name of the dispensing person, the name of the horse or horses for which the substance is dispensed, the purpose for which said substance is dispensed, the dispensing veterinarian's recommendations for withdrawal before racing (if applicable), and the name of the person to whom dispensed; it is labeled in conformance with this rule or is otherwise labeled as required by law. A substance does not comply with this rule if the label is missing, illegible, tampered with, or altered.~~

1. Labels for all substances must include the name of the substance dispensed; the name of the dispensing person; the name of the horse or horses for which the substance is dispensed;

the purpose for which the substance is dispensed; the dispensing veterinarian's recommendations for withdrawal before racing, if applicable; and the name of the person to whom dispensed.

2. Labels for medications or other prescribed substances must include all items from subparagraph 1 above and, in addition, the date the prescription was filled; the name of the trainer or owner of the horse for whom the product was dispensed; dose; dosage; route of administration; duration of treatment of the prescribed product; and expiration date.

ITEM 19. Amend subparagraph **10.7(1)"d"** by adding a new subparagraph as follows:

(7) Any drug or medication for horses which is used or kept on facility premises and which requires a prescription must be prescribed in compliance with applicable state law and regulations by a veterinarian who is duly licensed by the commission, the Iowa veterinary board, or the state in which the horse was located at the time of the examination, diagnosis and prescription.

ITEM 20. Rescind subparagraphs **10.7(4)"d" and "h"** and adopt the following new subparagraph in lieu thereof:

d. Practicing veterinarians shall not have contact with an entered horse within 24 hours before the scheduled post time of the race in which the horse is scheduled to compete unless approved by the state veterinarian except in the case of emergency. In case of an emergency, the state veterinarian must be notified prior to entering the stall. A documented attempt to contact the state veterinarian prior to entering the stall shall comply with the notification requirements pursuant to this rule. Any unauthorized contact may result in the horse being scratched from the race in which it was scheduled to compete and may result in further disciplinary action by the stewards.

ITEM 21. Rescind subrule **11.7(1)** and adopt the following new subrule in lieu thereof:

11.7(1) Devices that determine or affect the outcome of wagers or are used in the collection of wagers on table games are subject to the requirements of 491-11.4(99F) and subrule 11.5(3). Removable storage media shall be sealed with tamper-evident tape by a commission representative prior to its implementation.

ITEM 22. Rescind subrule **11.7(2)** and adopt the following new subrule in lieu thereof:

11.7(2) Wagers.

a. All wagers at table games shall be made by placing gaming chips or coins on the appropriate areas of the layout.

b. Information pertaining to the minimum and maximum allowed at the table shall be posted on the game.

c. A facility may impose an aggregate payout limit on a per wager basis. The aggregate may only affect the highest award per wager and shall not be less than eighty-five percent of the maximum available payout. Maximum available payout shall be calculated using the maximum wager as posted on the game multiplied by the payout of the highest award offered at the game. Additional restrictions may be imposed on aggregate payout limits, as determined by the administrator. Aggregate payout limits shall be posted on the game.

d. Any other fee collected to participate in a table game shall be subject to the wagering tax pursuant to Iowa Code section 99F.11.

ITEM 23. Rescind subrule **11.7(6)** and adopt the following new subrule in lieu thereof:

11.7(6) Big Six.

a. Wagers must be made before the spin of the wheel.

b. Each player shall be responsible for the correct positioning of the player's wager on the layout regardless of whether that player is assisted by the dealer.

c. The wheel may be spun in either direction, but must complete at least three revolutions to be considered a valid spin.

d. Each wager shall be settled strictly in accordance with its position on the layout when the wheel stops with the winning indicator in a compartment of the wheel. In accordance with 491-11.4(3), the rules shall include procedures addressing wheel stops that land between two compartments of the wheel. These procedures shall be posted at the game.

ITEM 24. Amend subrule **12.4(3)** as follows:

(3) Each facility shall place on file with the commission ~~the names of~~ all persons authorized to enter the cashier's cage; and persons who possess the combination or keys to the locks securing the entrance to the cage; ~~and persons who possess the ability to operate alarm systems.~~

RACING AND GAMING COMMISSION[491]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 99D.7 and 99F.4, the Racing and Gaming Commission hereby adopts Chapter 5, "Track, Gambling Structure, and Excursion Gambling Boat Licensees' Responsibilities," and Chapter 10, "Thoroughbred and Quarter Horse Racing," Iowa Administrative Code.

The amendment in Item 1 to subrule 5.4(12), which relates to problem gambling policies and procedures, specifically, voluntary exclusion, implements legislation passed in 2017 to amend Iowa Code sections 99D.7(23) and 99F.4(22).

The amendment in Item 2 to paragraph 10.7(1)"k," which relates to racehorse medication requirements, implements legislation passed in 2017 to amend Iowa Code section 99D.25A.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 3255C** on August 16, 2017. A public hearing was held on September 5, 2017. No one attended the hearing and no comments were received. This amendment is identical to the one published under Notice.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code chapters 99D and 99F and 2017 Iowa Acts, Senate File 442 and House File 568.

This amendment will become effective November 29, 2017.

The following amendments are adopted.

Item 1. Amend subrule 5.4(12) as follows:

5.4(12) Problem gambling.

a. The holder of a license to operate gambling games shall adopt and implement policies and procedures designed to:

(1) Identify problem gamblers; and

(2) Allow persons to be voluntarily excluded for five years or life from all facilities.

Each facility will disseminate information regarding the exclusion to all other facilities.

b. The policies and procedures shall be developed in cooperation with the gambling treatment program and shall include without limitation the following:

(1) Training of key employees to identify and report suspected problem gamblers;

(2) Procedures for recording and tracking identified problem gamblers;

- (3) Policies designed to prevent serving alcohol to intoxicated casino patrons;
 - (4) Steps for removing problem gamblers from the casino; and
 - (5) Procedures for preventing reentry of problem gamblers.
- c. A licensee shall include information on the availability of the gambling treatment program in a substantial number of its advertisements and printed materials.

Item 2. Amend paragraph **10.7(1)“k”** as follows:

- k. Non-steroidal anti-inflammatory drugs (NSAIDs).
- (1) The use of one of three approved NSAIDs shall be permitted under the following conditions:
 - 1. The level does not exceed the following permitted serum or plasma threshold concentrations which are consistent with administration by a single intravenous injection at least 24 hours before the post time for the race in which the horse is entered:
 - Phenylbutazone (or its metabolite oxyphenylbutazone) – 5 µ micrograms per milliliter;
 - Flunixin – 20 nanograms per milliliter;
 - Ketoprofen – 2 nanograms per milliliter.
 - 2. The NSAIDs listed in numbered paragraph “1” or any other NSAIDs are prohibited from being administered within the 24 hours before post time for the race in which the horse is entered.
 - 3. The presence of more than one of the three approved NSAIDs, with the exception of phenylbutazone in a concentration below 1 microgram 0.3 micrograms per milliliter, flunixin in a concentration below 3 nanograms per milliliter, or ketoprofen in a concentration below 1 nanogram per milliliter of serum or plasma, or the presence of any unapproved NSAID in the post-race serum or plasma sample is not permitted. The use of all but one of the approved NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered.
 - (2) Any horse to which an NSAID has been administered shall be subject to having a blood sample(s), urine sample(s) or both taken at the direction of the official veterinarian to determine the quantitative NSAID level(s) or the presence of other drugs which may be present in the blood or urine sample(s).